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THE *H. Bayle (P.)*
COUP DE GRACE:

Mr. *BATTLE*'s Prophecy fulfilled,
In *LUTHER JUNIOR* his last Stroke
to compleat the REFORMATION.

INVALIDATING the TITLE
O F
ECCLESIASTICAL ESTATES,
PROVING,

They ought to be secularised and recover'd to the just Proprietors, by the Law of Revelation itself, of Nature, the Common, Statute, and Civil Laws, *COKE, LITTLETON, Sir J. DAVIS, SALKELD, Dr. STRAHAN, Dr. GRAY*; new Notes on *GRATIAN*, the Canon-Law a Forgery, the Council of *Trent*, *Mr. ECTOR, Cardinal WOLSEY, Dr. D'AVENANT, Mr. LARDNER, Archbishop GRINDAL, Bishop BURNET, Mr. BOHUN, E. FLEETWOOD, Esq; Mr. FOSTER, W. PENN*: The Religion imported here; difference of Lay-Estates from these; the Court and Country Interest the same in this Point; Key to know their Value: The Forfeiture a-kin to the Revolution; and that these Estates always getting and never losing must, in Time, swallow up all the Property, and therefore the Power of the Nation: Being a Caveat against the Danger of Protestant Liberty, and necessary for the Perusal of Lay-Patrons, Land Holders, Free-Holders, Families disinherited by these Estates, and all Persons, &c. ——— The Like not Extant. ———

Note, A Great Prelate has owned, there ought to be no Persecution, and has invited all to examine his Religion.

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THE
T I T L E
O F

Ecclesiastical Estates Invalidated, &c.

CHAP. I.



ALL the Right which the Bishops and rich Clergy have to their Estates, Perquisites, and Authority, is built on the Principles of the *Canon-Law*;

Which are directly contrary to the Principles of the *Common-Law* of *this Realm*, and of *Mankind*:

That is, of *Truth*, *Natural Justice*, *Equity*, *Moral Virtue*, *Universal Reason*, *Humanity*, and whatever is really *Sacred*, and properly *Divine* or *Religious*.

Even contrary to *that very revealed Religion* which is pretended to be the Support of them; for the *Hierarchy*, as it stands, with *Arch-Bishops*, *Bishops*, *Priests*, *Deacons*, *Spiritual Courts*, &c. is so far from being found in the *Scripture*, either expressly, or by any *Rational Inference*, that it is *contrary to the Scripture*.

Neither *Christ*, nor *his Apostles* appointed it; they took away that Frame of *Judaism* and *Paganism*, which authorised *High-Priests*, *Priests*, and *Levites*, and the whole external Form of that *Religious Government*.

Christ, who is, or ought to be regarded as the *One Law-giver* of *his Church*, the *One King*, *Priest*, *Prophet*, and *Spiritually authoriz'd Teacher*

A

or

or Minister, *permanently established*; the One *High-Priest* of the *Christian Profession*, of the Order of *Melchizedeck*, who had NO DEPUTY, the ONE BISHOP OF SOULS, the *Author and FINISHER* of the *Christian Faith*, who, therefore left none to pretend to *finish* or *perfect* what he made *Compleat* himself, and to add to, or change his single *indispensible Hierarchy*,

He took away the *National Church* of the *Jews*, did not enact any other in its stead; did not appoint any *Church-Representative*, *Council*, *Synod* or *Convocation*, nor any *Church-Legislative*, to make Laws for his *peculiar Subjects*.

He did not enact any *settled Sees*, or *Benefices*, or *external Assemblies*, and *Schemes* of *Publick Worship*, or *Ecclesiastical Judicature*, they are of a *Temporal and Civil* Election, partly suited to the Model of the *secular Empire of Rome*, by *Constantine*, *Justinian*, &c. on Reasons of *Policy* then and in that Dominion; and by *King John* here, after he had *betray'd* his People by resigning his Crown to the *Legate* of a Bishop, (of no *Divine Legation*) and the true Characters of THEM are *very wicked*, in the most *Authentick History*, some written by *Ecclesiasticks* themselves.

Even the *King's Supremacy* here is a *Supremacy* in *Parliament*, part of the *publick Trust* reposed in him by the *Original Compact* of his People, a *Civil Right*, though call'd *Spiritual* in the Usage of Speech, to distinguish its *supposed Objects*.

Even that *Jurisdiction*, which was *usurped* here by the Bishop of *Rome*, (and all Bishops *would be like him*) is supposed to be restored to the Crown by several Statutes, said to be mentioned with this restrictive Phrase,

or

or some like it: ——— ‘ to be that Power which
 ‘ was, or OUGHT TO HAVE BEEN, in *that Bishop.*
i. e. If HE had no *true Authority*, none such could
 be had or exercised by the *Crown itself*, as RE-
 STORED from HIM to the *Crown*; much less by
 any *Bishop, Priest, Ecclesiastical Officer, or Spiritu-*
tual Jurisdiction.

These Words, OUGHT TO HAVE, referr us
 to the *Truth* and *Justice* of the Pretension; as
 to which, the *Canon-Law* itself is built on *Forge-*
ry, the *Decrees* and *Decretals* were forged; *Lu-*
ther burnt the *Canon Law*, and the *Bishop's In-*
struments of his *Authority*; the *Reformation* set
 out on *that Foot*; the retaining and reviving the
Canon-Law is *Popery* still, repugnant to our Con-
 stitution, as such; an *Inquisition* is an exprefs
 Branch of that *Canon-Law*, by which a Protestant
 may guess at the whole: And Dr. *Burnet*, late
 Bishop of *Sarum*, in a familiar Discourse, with
 the learned, ingenious, and worthy *William Bobun*,
 Esq; Barrister at Law, freely declared, ‘ That
 ‘ the *Canon-Law*, and the *Ecclesiastical Jurisdic-*
 ‘ *tion* were originally from *Hell*, and thither it
 ‘ ought to be sent again,—and that a greater
 ‘ than he, even an Archbishop (naming GRIN-
 ‘ DAL) was also of that Opinion.’

And the Historian, *Matthew Paris* complain’d;
Heu, heu! Hæc Sulphureo fonte Ecclesiasticorum
exurgunt; Alas, alas! These Things arise from
 the sulphureous HELL-FIRE Spring of the EC-
 CLESIASTICKS! p. 542. Col. 2.

Nor can it be infer’d, that what the Bishops pre-
 tend their Right is now, was antiently so; for even
 Bishop Kennet in his Case of *Impropriations and*
Augmentation of Vicarages, speaking of the *Tytbes*
 and *Offerings* that were an ORIGINAL FUND,

(which may suggest it was a STOCK-JOB, a BUBBLE, at first) for the Bishops and Clergy, and telling us, that as to the Institution of Parishes, and the Endowment of Parochial Churches, for the first six or seven Centuries, the *Parochia*, or *Parish* was the *Diocese* or Episcopal District, insinuates, that every Parish Priest is as good as a Bishop, and a *Parish* properly is a *Diocese*; a Bishop, being an *Over-seer*, cannot *over-see* even some large Parishes, much less, a Modern *Diocese*; and Parish Priests are all of the Clergy that are of true Use, Necessity, or Service to the Civil Government.

As their Title is false, with respect to the Foundation of the Canon-Law, and to Antiquity, so, in regard to what they claim on the Scripture-footing, it may be observed, that, even granting to Archbishop Potter, that his Book on Church-Government is true, (though any Man who reads, among others, the Reverend Mr. Charles Owen's Account of the Presbyterian Ordination, will find the Contrary.)

Yet it proves against him, and against them all; if they were from the Beginning Governors, they were POLITICIANS, CRAFTSMEN of *Ephesus*; by Governing, they governed, ruled, directed, what was to be admitted, read, and preached upon in Congregations; who dar'd withstand their Governors, or think, write, speak, preach, pray, hear, or publish TRUTH, under such Politicians? by which in Effect, they must be supposed to do the same, as if they MADE IT for themselves and their Flocks together, which is the Case of what the Church of England, against The Reason of her own Articles, calls, Canonical Scripture, the Rule of Faith and Manners,

Manners, it must, in Course, be what these *Governors over-ruled* from time to time; and therefore, *at the Bottom*, MADE for the People: it was perfectly equivalent.

And what I mean by the *Reason* of the *Articles*, is, that the Church declares those Books to be Canonical Scripture, concerning which, there had been *no Doubt in the Church*; by which Criterion, she may be thought to have no Canonical Scripture at all, but to put herself on a Level with Deists and Infidels, and ought not to be so hard upon them; for there is not one Book, but what has been doubted of in the Church, from *Genesis* to the *Revelations*.

The Ground of the Bishop's, &c. Rights to their Estates and Authority being thus shewn to be false, as to the *Canon-Law* and the *Scripture*, let us proceed to consider what those Estates were, and are, and what are the Properties and Consequences that attend them;

It is plain by *Peter's* striking dead *Ananias* and *Saphira* in the Book of *Acts*, and by *Paul's* exhorting the People to *lay by and Collect* for the *Saints*, and by his claiming *Temporal Things* for *Spiritual Things*, that they made use of their System as one Way to get Money, not only by *Free-Gift*, but by *Claim of Right*: And that they aspired from the first, to get the *Estates, Lands, &c.* of their Converts into their own *Disposal*; though *they*, in person, would not *serve Tables*, would not exercise a secular Employment, Power, or Capacity, which Bishops do, by sitting in the House of Lords, being Justices of the Peace, Governors of Hospitals, and of Queen *Anne's* Bounty; Treasurers of Societies, Directors of Charities, Managers of Elections

tions and Votes, and of political Interests, and a thousand other Cases, in which they oppose the Characters of the Apostles, from whom they derive their Commission; and are more *Lay-men*, than *Spiritual-Men*; against their own Principles.

Nay, by *these Spiritual Principles* they have no Church, for they make a Church a *Spiritual Body*, whereas it is a *Lay Society*, of which a *King and Parliament*, *Lay-Trustees* of the People, are avowedly the Head: Where then is their Distinction, for they are by Law established, by Lay Acts of Parliament, and Powers given them by the Laity?

But their Claim to *Christian's Estates* subsisting thus, on *Peter and Paul*, from the first, may shew, their Affair was *interested*, a good Work, or good Jobb, to make a Party, and get Money and Influence, so that the Author of the *Trial of the Witnesses* has brought his Hogs to as fair a Market, as my Lord Split-devil, for *interested Witnesses of the Resurrection of Revealed Religion*, and of the whole Business, would be, to a *Fury*, by the *Common-Law*, no good Evidence.

Nay, even by their own *Canon-Law* they are to be *Witnesses*, *Omni exceptione majores*, beyond all Exception, which none of them are; so that the Matter tumbles both Ways, and their Lordships *Estates in Law*, have no Evidence to make good the Title.

I might add, that most of the Original Witnesses they can bring, are *Popish Witnesses*, and testify as such against them: The *Fathers* are mostly *Popish Saints*, and for *Popery*; therefore a Protestant Court and Ministry ought to look about them in time, and take care, that Gentle-
men,

men, who appear so much at Court, that many think, they seem to forget there are any Souls in Dioceses worth the Cure, and who bustle so much in the Voting and Meddling for them, do not, at Bottom, undermine and destroy the Protestant Succession, and the very Interest and Cause of Protestantism; especially, as they subvert the first and true *Lutheran* Principle of a Protestant Reformation.

Dr. *Davenant* has wrote on *Resumptions* of *Crown-Lands, Rents, Gifts, and Revenues*, as very necessary: His Doctrine is at least as just, if not much more so, if applied to the Expediency and Necessity of the *Resumptions* of *Bishops Estates* to the right Owners, or, if these Owners please, to pay our Debts and Taxes, and ease the Current Service of the Year; nor could they complain of this as putting the Church in Danger, for they glibly took them from the Papists, and what is Sauce for a Goose is Sauce for a Gander.

Englishmen, by their Principles and Genius of Liberty, are more jealous and reasonably so, of their Rights, than other Nations.

Let them consider, that the Estates of Bishops and Ecclesiasticks, are *unalienable*, are in *Mortmain*, cannot be sold or parted with, but by express Act of Parliament.

So that they cannot be essentially diminished.

But they are *always encreasing*, not only by the Bounty of *Queen Anne*, but by an immense Liberty of *Purchasing*, and even in Possessing in *Mortmain* by the *King's Licence*, (which was not reserved by *Magna-Charta*, and is an odd Phænomenon under our Saviours from Popery) with whom

whom they are commonly very assiduous, and whom, or his Ministers, they may be capable of soliciting and biasing to their Purpose, in Consideration of their seeming Activity for Political and Parliamentary Interests: Wherein upon the whole, they may do more Harm than Good.

The last Statute relating to *Mortmain-Possessions*, of the ninth of his present Majesty, reserves to the Heads of Colleges, an unlimited Power to purchase what Advowsons they please, even when it limits the Colleges as to the Number of those Purchases: And it is certain, that the Heads of Houses may be employed by the Colleges to purchase Advowsons for their Benefit, and to enrich the University Wealth in general.

So that a College, which by that Act can only purchase a Number of Livings equal to that of one Moiety of the Fellows, may yet desire its Head to Purchase, and Pension the Fellows upon the Living, or press it to them or to whom he pleases; by which that Act may be rendered ineffectual to the End for which it was obtained, be defeated, and in this Respect, made no Law at all.

All who know any Thing of College-Management, know, that the *Arcana* or *Secrets* of the College are not to be divulged by the Master, or Fellows, or any concerned in them; that they are laid under a particular Obligation, I think, an *Oath*, on that Head, that the Bursar or Treasurer of a College is said to be under more strict Engagements of this kind, than even the Senior Fellows; and therefore the Heads of Houses may be very secure in Purchasing, if they can, and will, (as what will they not do, if they can?)

can?) all the Livings and Estates too, in the Kingdom, notwithstanding the Restraint of the last *Mortmain-Act* on the Colleges.

This was a Master-stroke of Episcopal Address, in the Modelling of that Act: The King may License, and the Heads may Purchase, all Estates and Livings in *Mortmain*, respectively; it ought to make every Person, even a Court and Administration, suspicious, who deals with them; when they conjecture they are intended to be laid under an Disadvantage, they will contrive a Loop-hole, and turn it to an Advantage.

So that the most crafty Politicians are often meer Asses to Sanctimonious Jockeys; it is by *this Cunning*, that their Religion is what they please to make it, whenever they are disposed to lay their subtle Heads together, in a hearty manner, to counter-plot the Laity; the most refined and most dangerous Hypocrisy is that of some Prelates and Ecclesiasticks, from their *Italian Machiavelists*; God, *Christ*, Heaven, Hell, the Church, the Soul, Salvation, are Terms of Importance and Weight, and few would imagine, a Cloven-Foot may be under the Robe.

The Estates and Emoluments belonging to this *Charitable Corporation*, consist in *Archbishopricks*, *Bishopricks*, and *their Officers*, temporal and spiritual, who *depend* upon them for *Support*, their Suffragans, Vicars-general, Guardians of Spiritualities, Deans, Arch-deacons, Registers, Deputy-registers, Advocates, Apparitors.

All who are of their *Posse* and Militia. and naturally influenced by them, or entrusted with them, Schools, Colleges, Charities, Societies of Christian Knowledge, and Propagation of the Gospel in Foreign Parts, and Reformation of Man.

ners, Hospitals, Donations, Benefactions, and Legacies for pious and charitable Uses, Monies to Lectures, Sermons, and various Endowments, and Trusts.

Benefices, Rectories, Vicarages, Chapelries, Curacies, Donatives, Advantages from Foreign Plantations, Recommendations to and Sale of Preferments, private Bargains, Patronages, Procurations, Synodals, Tenths, Presentations, Institutions, Inductions, Dispensations, Visitations, Oblations, Obventions, Tythes, Mortuaries, Easter-Dues, Stipends, Impropriations, Manors, Lands, Consecrations, Leases, Fines, Augmentations by private or publick Benefactors, Presents, Subscriptions, Contributions.

Offertories, Pluralities, Commendams, Surplice-Fees, Marriages, Christenings, Burials, other Perquisites and Fees, Licenses, Qualifications for Chaplainships, Glebes, Gifts, and Purchases in Mortmain, Tenements, Rents, and other Hereditaments, Temporalities, Pensions, Advowsons, Rights of Presentation by Reason of Recusancy, Interest with Patrons and Ministers of State to prefer or non-prefer others, Resignations and Exchanges, Political and other Management and Solicitation.

Privileges and Immunities, Dispensations, Commutations, Ordinations, Dignities, Ornaments and Furniture of Churches and Chapels, Briefs, Select Vestries, the whole Rent-charge of the Church lying on the People, Gifts to Superstitious Uses.

Exactions and Extortions of Spiritual Courts, Excommunications, Corruptions and Abuses of Parish-Officers and others, Habits of Ministers Officiating, Bells, Organs, Altar-Pieces, Expence
and

and Support of the new Churches, Taxes for these Purposes, as on Sea-Coal, &c. Probate of Wills, and Administration, Forfeitures on absents from Church.

Civil Disabilities and Burdens, Nepotism and Provision for their Families in the Church before others of greater Merit and Service, Salaries, Non-Residence, Union and Division of Churches, Clergy excused in Subsidy-Acts of the Laity, Popery kept in other Hands and Names, Parents.

Surrogates, Proctors, Inhibitions, Sequestrations, Licences to Physicians, Surgeons and Midwives, to Schools and School-masters, Sine-Cures, Cathedrals, Prebends, Cardinalships, Church-Rates and Assessments, Citations, Exhibits, Judgments, of Heresy, Interdicts, and ten thousand other Ways, Persons and Things, turning the Penny and making up the *ONUS ECCLESIAE*, *the Prophet's Burden*, *quantum profuit Fabula*.—What a *RUN* has it had! What a long Tail our Cat has got!

The subordinate or subdivided Articles, under each of these, will branch out into an infinite Variety and are not to be enumerated.

The Persons, who are in Possession of this fine Inventory, compose a very formidable Corps, a huge standing Army of the Church; all ready to join for and against any Person or Affair, as the Commanding-Officers, called Church-Governours or Ecclesiastical Bishops, &c. from Time to Time *direct* and *order* them.—*Orders* is a Military Term, for every one to obey the Word of Command, and Ecclesiastical and Martial Law are equally absolute, only the former the more severe and terrible.

The Number of this *Army*, or Church-Militant must be, at least, three Parts of the Island, so that computing the People at ten Millions, by Supposition, seven Millions and an half are under the Command of the *First Minister of the Church*, for the Time being.

And what they could effect is incredible ; they have owned themselves, that *sometimes Pulpits are set on Work by their private Direction, and that being avowed to be true*, is a notorious incontestable Key to the Cabinet ; implies, that the whole *Machine of Power* is and may be set on work by Direction, for any Purpose whatever ; for any new Croisade or Expedition.

As, to join to enslave and beggar the *People*, on occasion, to obstruct and ruin the Preferment, Prospect, Reputation, Interest of any Clergyman whom they are *ordered* not to like, or any Lay-man or Family ; any Person whatever, of either Sex, of all Conditions, from the highest to the lowest.

Innumerable Instances of the dreadful Execution of which Power occur in all History antient and modern, domestick and foreign.

Nor can it be alledged, that Popery does not prevail here, and therefore this Power is not to be feared ; for a Church-Spirit is a Spirit of Popery, and the Author of the *Codex* (whose Temper and Practices are well known and said to be dearly experienced by some Gentlemen, even of the Holy Order itself,) has professedly put the Protestant Church of *England* on a Popish Footing, on the Canon Law, the Constitutions of *Otho* and *Othobon* the Pope's Legates, and those of Popish Archbishops and Synods.

Though

Though himself implies, in his Preface, they are contrary to the Common-Law : This plainly indicates, what they would be at, at the same time that it directly proves, *the Nullity of their Title*, to their Estates and Authorities, and points out the Means of recovering them to their just and legal Proprietors.

But there are also some *original Nullities* of this pretended Right to their Estates, which shall be only hinted at present. As,

That the modern *Church Worship* is a *Christian Continuation* or Imitation of the *Synagogue-Worship* of the *Jews*, which was and is, contrary even to the *Law of Moses*, *Moses* having forbidden all *Judaical Worship*, but what is provided for in his Law, and all that is there provided for, is the *Tabernacle Worship*, continued in the *Temple*, perhaps, and no other.

2. These Estates are owned to be a kind of *Deodands*, *Gifts to God*, and to the *Church*, which is the whole Community of *Christians*, not to *Bishops* or *Dignitaries*, to engross and monopolize them to themselves : And the *Nation* is properly, (except the particular Antient Owners put in their Claim,) the *National Church*, whose Right they are ; which is confirmed,

3. Because they were at first given, as *Alms*, to the *Poor* and the *Ministers together*, not to the *Ministers*, *Bishops*, &c. apart from the *Poor*.

This was instead of *Tythes*, which were for *Levites* and *Poor together*, so that *Tythes* now are monstrous : Our Law declares the Case by *Frank-Almoigne*, or *Free-Alms* : This subjects the Church-Estates to the Reason of Enquiries into *Charitable Uses*, (as well as *Superstitious Uses*,) and *Uses* and *Trusts* being *Correlates*, the *Trust*
and

and *Execution* of it, in this Matter, well-examined, will discharge and *rectify* these Estates: Offertories had their Rise from these Alms, and the Sacrament was, as ceremonially performed, not from the Gospel, but *from and for* the *Offerings*: This is the Key of the Externals of Christianity. And if the Apostles, &c. put themselves in among the Poor to be taken care of, Gospel and Charity-Sermon was much the same.

Other Nullities may be mentioned hereafter.

As to Encouragement of Learning, it is rather the Encouragement of Ignorance; at first, the Bishops, &c. were chiefly illiterate, and, though some are or have been, learned, their Cause may be that of Barbarism, they are sometimes jealous of a good Scholar, and seek to ruin him. *Vide Bishop Hare's Difficulties, &c.*

Our main Point, at present, is to investigate the encreasing Value of these Estates, and its fatal Tendency, besides the shocking Inconsistency of augmenting the Income, if the *Faith decreases in Fact*, as well as by Mr. *Locke's* Calculation of the *Degrees of Credibility* decreasing in Proportion to the *Decrease of the Original Evidence*.

As the Copy of a Copy diminishes the Evidence of an Original; therefore Mr. *Lardner*, a Dissenting Teacher, of very good Learning, and Zeal, is content with the humble Style of the *Credibility of the Gospel History*, in his late numerous Volumes on that Subject; he does not insist on the *Credendum*, that People are bound to believe, but the *Credible*, that it may be believed, if you please, and puts it on a Parity with the History

History of *London-Bridge*, or the Battle of *Malplaquet*: *Euge, bone!*

The *Title* being so vain, corrupt and wicked, the *Power* swelling by these *Estates* so pernicious and dreadful, let us consider what Method can be taken to investigate the particular and total Value of them.

And here, the *Revealers* of *Religion* affect to make their *Christianity* very *mysterious*; what they mean by *revealed Religion*, is *concealed Religion*, *revealed Religion* to and by them to others, the *Grift* is to be ground and the *Toll* taken at their *Mill*, as if they were a trading Company to *Heaven*, and you must buy in their *Stock*, trust the *Directors*, and *Super-cargoes*, who can make *South-Sea* a *Thousand*, in some *New-Jerusalem*, by way of *Reversion*.

And happy is he that can turn *Moon-shine* into *Sun-shine*, *Silver* to *Gold*, by the Help of the *Money-changers*, or *Holy Bankers*, the *Mount of Piety-Men*, where all is transfigured.

So that the true Value of these *Estates* cannot be known without the utmost Difficulty.

If a Correspondence was every where established, so that, by the *Excisemen* and *Supervisors*, (*Bishops* themselves are *Supervisors*, *Overseers*) an Account of the *Livings*, the gross and neat Produce, on an Average, *Communibus Annis*, could be obtained.

Or, by the *Quakers* and known *Free-Thinkers*, in each Neighbourhood, or by those, who have been sued, or used ill, by the *Bishops* and *Cergy*; by *Dissenters* from them, or such as they call *Hereticks* or *Schismaticks*, who would be inclined to make Enquiry and Discoveries; by such Members of *Parliament* or *Voters*, who are not in
the

respective Interest of this or that Bishop, or *Ecclesiastick*; or by any Gentleman, who does not relish their Principles and their System, the Number of which encreases; or by *Roman Catholics*, from whom they took their Sees, Benefices, Perquisites. and Revenues.

Or, if a Society or Club was to Meet on this avowed Footing, each Person to take his Division, Bishoprick or County, and by his Correspondents, know the Valuation.

Or if *Curates* and *Assistants*, who are paid too sordidly, could be engaged for some Consideration, to send up the Account to Town, in order to get their Stipends to be encreased, as they ought to expect.

Since it is highly Scandalous there should be an *Augmentation-Office*, for Bishops and Beneficed Clergy, and none for those, whom they may use like Dray-Horses, to go thro' all their Drudgery, and perform their most useful and necessary Business: So that it is the Interest of the whole Body of the Curates to be against them, and assist in communicating the Value of such Possessions, was it only to do Right to themselves; and the Curates have no effectual Method but to unite, one and all for this Purpose.

As much Light may be had by proper Persons, so likewise from certain Places, Offices, Occasions, Books printed and Manuscripts, Law-suits on Record, or other Records, Rentals, Terriers, Inventories, Accounts of Sequestrations, Dilapidations, Reports of Tenants, Books of Tythes and Easter-Offerings, *Tax Assessments*, Registers of Dioceses and Arch-Deaconries, First-Fruit's Office, the Office of the Secretaries of the Presentations, Notitias of the Monasteries, *Elton's Thesaurus*,
Willis

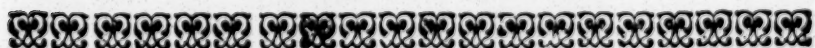
Willis on *Cathedrals*, &c. Acts of Pariliament, Accounts of Patrons and of Lord's or Gentlemen's Stewards, of Courts-Leet and Baron, or Hundred-Courts, the Dispensations in Chancery, which must be attended with a Certificate of the Value of the Livings; Mr. *Bobun's* Brief View of the Ecclesiastical Jurisdiction, *Newcourt's* Repertorium; *Le Neve's Fasti*; *Adam's Index Vilaris Liber Valorum*, *Dugdale*, *Nicholson*, *Camden*, *Antiquities of England*, &c.

A Library on this Subject might be collected, and Lectures founded of more Use than *Boyle's*, *Lady Moyer's*, and a thousand Endowments and Institutions, at present on Foot:

Fleetwood's Chronicon Pretiosum, and all Tables and Histories of our Coin will be useful to compare the antient and present Worth of our Bishopricks and Dignities.

It must here be presumed, that *Eaton* would have given us the Value of Benefices, as well as the First-Fruits, Tenths, and Patrons:

And that *Groome* on the Benefactions of the Clergy might have entered into it.



C H A P. II.

BUT it is not the Design of the Gentlemen on this Side of the Question to produce the *Quantum* of what they have or do Possess, but to obtain more and grasp at all.

A Calculation of the *Profits* made and receiv'd by them since *Christ's* Time, or that of *Constantine*, parallel'd with the solid Advantages which the Donors have not met with in Return, and the Losses and Sufferings that have been
C sustained,

sustained, on this Score, would be a most entertaining Theme.

It is notorious, that it is a Scheme to engross all Property and Power, an universal Monarchy, or rather an universal Tyranny over Men, under the Mask of Religion.

What else can be the Meaning of a *Writer yet unknown*, though received as *Divine*, putting those Words into the Mouth of *Christ* himself, — *All Power is given to me.* — Did *Christ* speak those Words, or Commission that Writer to write them for him? How is that proved?

But it was convenient to the *Church* or *Party*, for whose Interest those Words, and that Piece, was written, to make him say them;—for they are *Party-Writings*: *Gospel* means properly the *Word of God spoken*; *Evangelium*, *Good News* told, preach'd by *Word of Mouth*,—there is no Commission to write it—but *that* was necessary to carry on a Scheme, which *Christ* himself did not authorise; for elsewhere he declared against *Earthly Power*, much more against *all Power on Earth*.

That it is a Scheme to devour *all Property* also, is self-evident from those other Words put into the Mouth of *Christ*, by one of those unknown Writers,—*Go and teach all Nations*, — or *disciple all Nations*,—make them as much Subjects to you as Disciples, or Scholars, are to their School-Masters, to come with a *Rod*, to represent which, an *Apparitor* carries a *white Rod*, when he attends one doing *Penance*, &c.

But there is something farther in those Words, than is commonly thought of:—*Go and teach all Nations.*—

That seems a *Warrant* to go upon every Man's Ground, and preach upon it; which was a *Dis-*
seising

seising the lawful Owner, whether he would or not,—and was a Licence to make *an Entry* on every Person's Land, Tenement, or Property.

Our Common Law would call it a *Trespass* at least : For if any Man tells me, though in the Name of God, that he will preach or teach on my Premises, there lies an Action : So that such Bishops as claim an unlimited Succession from the Apostles, subverting by this the *Common Law*, may be liable to the same *Impeachment* or *Indictment* with Cardinal *Woolsey*, on the same Account ; as the learned Lawyer, *Francis White* has observed in his Book, entitled, *For the sacred Law of the Land*.

I need say no more, to shew the RIGHT and KEY TO A REMEDY in *taking away such Estates*, than that they are held contrary to Common Law, on their own most sacred Principles : But *White* makes the *Law of the Land* more sacred ; and all Men of Sense and Property will concur with him.

And this proves the Invalidity of that Judgment pronounced by an eminent Justice of a Court, otherwise of great Merit and Abilities, that Christianity indefinitely is part of the Constitution ; for if the Principles and Claims of it are repugnant to those of Common Law, it is repugnant to the Constitution, and never was nor possibly can be part of it : Nay, if a Statute be contrary to the Principles and Reason of the Common Law, it is Null *ipso facto*, much more a Canon, or Church-Rule.

So that the puissant and mighty Lord *Codex* and the rest of his noble Band of Subscribers and Adherents, may put up their Pipes, and give them

them to the Organist for the next Rehearsal at St. Pauls.

But they shall not have the Advantage to prosecute us fairly for all this, on the Statute of the 10th of *William* and *Mary*, against such as deny the Inspiration and divine Authority of the holy Scriptures; for we allow *that Inspiration and Authority* to them and all holy Scriptures, as soon as they are proved, and on the Footing, that what is good in all Writings, and all Men and Things, is by divine Inspiration and Authority; the Inspiration of the Almighty giveth Men Understanding, and his Spirit is in all his Works.

We hope a Court of Justice will produce those holy Scriptures on RECORD, which God authorised and inspir'd, such as the Church tells us were never doubted: and are from God, not Man, on the Grounds and Evidence of Common Law; otherwise I do not see, how a Man can offend that Act.

If any Person retracts *on such Light*, what he has said, that Statute cannot take hold of him.

Nor shall they attack us for Blasphemy; for Bishops are not God Almighty; *God* and *Christ* themselves are out of the Question, when we speak of *Men* pretending to *write* what they said and were; but Bishops should have a care, *they* are not guilty of *Blasphemy*, if *they* hold or describe God to be, what he cannot be, an irrational or an immoral Being; avowing *Breach of Promise*, Numb. xiv. 24.—and *Deceit*, Jer. xx. 7. O Lord, *thou hast deceived me*—and in many other Places.

For

For *Blasphemy* is speaking dishonourably of God, what is against his Attributes, and therefore *defaming* or *Blaspheming* him : it is,

1. Denying him some Attribute, that is suitable to his Nature ; as, that he is *All-sufficient* to *Man's* Acceptance in his Sight. Or,

2. When we ascribe something to him, that is contrary to his Nature ; as, in those, who make God Arbitrary, doing all by *Will*, right or wrong, like *Satan* : Or,

3. When Men attribute to the Creature, what is only proper to God, as, *Divinity* to a *Humane Religion* or *Revelation* :—Of these correct Ideas of Blasphemy let others beware.

The Cry is, that the *Rationale* of their Affair, the Truth and Justice of it, the Merits of the Cause are against them.

They themselves, by their Silence, or ridiculous Arguments against the *Deists*, give up the Contest ; they put it chiefly on the *Law*, on *Property*, and the Necessity of the Continuance of their Estates to the Order, Peace, and Safety of *the Kingdom*, (*not of Society* in general, which may subsist, and better, without *them* ;) So that they do not pretend to be good Reasoners in their own Defense, so much as good Lawyers, and Politicians.

If therefore the *Law* and *Property*, if the *Interest of the Court*, and of the *Kingdom*, be against them, and its *Safety* too, all is over

As to the *Law*, it has been already proved to be their Enemy ; and may be farther evinced to be the same, in many other Instances.

As to *Property*, their's is kept from the right Owners ; it is the Interest of those Owners to reclaim it.

The

The *Property* of others is not involved in, or affected by, theirs : It is of a different Nature : Subsists on *Right*, and on the Principles of *Law* : *Inheritance, Purchase, Conveyance, Demise, and Tenure, or Custom, strictly lawful.*

It is a Rule, if the *Suggestion* on which a *Patent* or a *Privilege* be obtained, be *false*, or *if it be not*, as *urged* or *pleaded*, true, the Grant is void and may be superseded :

In effect, *Bishops* may be said, at this Day, to be made by *Patent*, as they clearly were, under King *Edward VI.* the *Conge d'eslire* is a Kind of *Patent* issued out of the Court of *Chancery* ; the *King's Mandate* for a *Bishop's Consecration* participates the *Nature* of a *Patent*, as do the other Instruments for his *Election, Restitution of the Temporalities, &c.*

When the *Conge d'eslire* is dispatched, the King's Letters missive, naming the Person, are sent with it : So that the Dean and Chapter do not really elect, or if they do, it is a *Premunire*.

The Statutes say, a Bishop is made by Authority of *Parliament*, and King *Edward VI.* and Queen *Elizabeth* seiz'd their *Temporalities* ; *Bishopricks* have been pulled down and set up at Pleasure : Surely, if *Property* and the *Safety* of the Kingdom were not affected, by demolishing the Bishop of *Rome* here, by abrogating the Popish Bishops, Clergy and Religious Houses, when it was even thought contrary to *Magna Charta*, when the Church of *England* was more powerful than now, and the State of Affairs more dubious, they cannot be shaken by a like Instance again.

Some say, they are as much despised and hated now, as they were at that Time ; that much of their Religion is a Fallacy ; and that there may be

be a Right to demand *Costs* and *Damages*, ever since the Time of *Christ*, and *his Apostles*, on the Company pretending to succeed him, and *Pains* and *Penalties* for the same: And also on Account of a certain *Will* or *Testament*, to which *they have administer'd*: So that a *JURY*, so unluckily appeal'd to, in a *Trial of Witnesses*, for Evidence of *the Resurrection*, (which would hold as to every other Article, and even *Doctor's Commons*) must, in that Case, unhorse them all.

As to the *Interest of the Court*, the Court can soon make six and twenty Lay-Lords as good as Bishops, who might, if occasion required, possess their Dioceses, and their Influence.

King *Henry* appointed the Lord *Cromwell*, a *Lay-Lord*, to be his Visitor to the Convocation, and sit among them: The King, the chief Bishop, Overseer, and Ordinary of the Nation, is a Lay-man; and no farther a *Parson*, *Persona mixta cum sacerdote*, than entrusted with Religion, subservient to Civil Policy and Necessity.

A Ministry does not esteem them the more for their Ductility: In truth they destroy their own Reputation and Weight, as Bishops, while they so zealously promote worldly Interest.

At last, if a Cry against them should grow formidable, and Protection may not be commodious, a Court, which is politic, would give them up, and *Sacrifice the Sacrificers*.

It might sometime be for the Purpose of a Court to seize their Temporalities by Act of Parliament, as some Princes have attempted, and others may desire.

Custom may not avail them then: The *Custom* of the *Common Law* is prior to, and supercedes the Custom of the *Ecclesiastical Law*, for *prior obligatio*

gatio supersedet posteriori, a prior Obligation supersedes one that is posterior or subsequent ; the Law of Nature and Reason takes Place of all positive Laws, and governs them : No Custom is such, if against Reason, Truth and Right.

Whatever was *false*, or unjust, at first, is of no Force in Law, notwithstanding any *Usage*, of how long continuance soever:

There were *Temporal Judicatures*, in *Britain*, before *Christianity* was imported here, and the Usage and Practice of those Judicatures, those Courts of Justice, were the Law of those Courts, &c. *part of the Law of the Land*: To which if the Usages of Episcopacy were repugnant, they were void, *ab initio*.

What Man of Common Sense and Common Honesty, (which Judges and Juries of Common Law are supposed to be,) must agree to be irrational, will, notwithstanding any Custom or Length of Time soever, appear to have no Foundation in *Law*, if it has none in *Reason*.

Coke, on *Littleton*, *Seet.* 209. *Fol.* 140. *a.* lays it down as a Maxim of the *Common Law*, that
 ‘ *All Customs and Prescriptions*, which be against Reason, are void.’

3d. *Salkeld* 112. Title, CUSTOMS, *Seet.* 5. says,
 ‘ Every Custom ought to have a *reasonable Commencement*, for no Custom can make that good, which was not so, *ab initio*.

And *Seet.* 7.

‘ A Custom is not unreasonable, for being injurious to private Persons or Interests, [to Bishops for Instance,] so as it tends to the general Advantage: [*i.e.* first of Mankind, then of Nations, and of that Nation, State, and Temporal Law, where it prevails.]

And

And *Señ. 8.*

‘ Where a Custom is injurious to the Public,
 ‘ and only for the Benefit of some Individual,
 [as a Company of Ecclesiastics, &c. which in
 respect to a Nation or Mankind, is an Individual.] ‘ it is unreasonable ; for the Original of
 ‘ such Custom was by Tort or Usurpation.’
 [This may point out an Action against such
 Estates.]

In Sir *John Davis's* Reports of the Case of
Tanistry, Fol. 32. It is said, ‘ The Commence-
 ‘ ment of Custom must be on a reasonable Ground
 ‘ and Cause, for if it was unreasonable in the
 ‘ Original, no Usage or Continuance can make
 ‘ it good :

*Quod ab initio non valuit, tractu temporis
 non convalescet ;*

‘ A Custom, repugnant to the Law of Reason,
 ‘ which is above all positive Laws, and therefore
 ‘ above all positive Institutions of Religion, is
 ‘ void, *ab initio*, and no Prescription of Time
 ‘ can make it good.

The *Doctor and Student, Chap. 2. Fol. 4.* says,
 ‘ The LAW of REASON is never changeable by
 ‘ no DIVINITY of Place, no Time ; and there-
 ‘ fore against this Law, Prescription, Statute,
 ‘ Custom, may not avail ; and if any be
 ‘ brought in against it, they be not Prescription,
 ‘ Statutes, or Customs, but Things void, and
 ‘ against Justice.

Littleton, Señ. 212. put a Case of a Prescrip-
 tion being void, as being against Reason, —
 Concluding, ‘ So such Prescription, or any other
 ‘ Prescription, if it be against Reason, ought
 ‘ not to be allowed before Judges :

Quia malus usus abolendus est: Because an evil Use or Usage is to be abolished.

The Note of *Coke* on those Words, is, ' Every Use is Evil, that is against Reason.

And in his same Commentary, on *Sett.* 80. *Fol.* 62. He says, ' It is an Incident inseparable every Custom must have, that it be consonant to Reason, how long soever it hath continued, if it be against Reason, it is of no Force in Law.'

And when he tells us, this is not to be understood of every unlearned Man's Reason, but of Artificial or Legal Reason, warranted by Law: This may be right in all Cases, which depend on the *Law* and *Legal* Arguments; but, when applied to Matters, which depend partly on the Law, and partly on Matters of Fact, the most learned Man cannot reason justly without some Knowledge of the Fact, as well as of Law and Usage.

It is said, that, at Common Law, a Jury is to find the Fact, and the Judges to determine the Law; others tell us, the Jury is the Judge of the whole Question.

However of such Matters, as are in themselves absolutely unlawful and irrational, and of the natural and circumstantial Evidence of Facts, likewise, every honest and disinterested Man, endued with Reason, though unlearned, may be an equal Judge as the Learned.

It has been proved that the COMMENCEMENT of a *Custom* ought to be *Reasonable*; and in this Light, (without entering into other *Maxims* or *fundamental Principles of Law*, which may overthrow such *Claims*,) I shall only subjoin four Authorities from my Lord *Coke* and Sir *John Davis*,

Davis, in his Reports, by which if the *Commencement* of their *Religion and Claims* here be examined, they will be found unwarrantable, and liable to be annulled and abolished.

1. That the Law respects the Order and Course of Nature. 1 *Inst.* 11. a. 92. a. 197. b.

2. That the Rights of Nature are immutable. 7. *Rep.* 12, 13.

3. That nothing which is contrary to Reason, is consonant to Law. 1 *Inst.* 56. b. 97. b.

4. That the Law of Reason is above all positive Laws. — *Davis's Rep. Fol. 32. Case of Tanistry.*

If therefore the Religion, Claims, and Estates of these Gentlemen be opposite to those Authorities, if the *Religion* at first preached here by Commission from a Bishop, and therefore their Rights to their Estates founded upon it, violate these Principles, as the Law of Reason is above *all positive Laws*, and therefore above *all positive Religion*, settled by *Statutes, Canons*, and the like; if they change the immutable Rights of Nature, and be contrary to Reason, the *Custom* and *positive* Sanctions which support them are void:

When the Monk, *Augustin*, the first Metropolitan of *Canterbury*, preached his *Doctrine*, and introduced his *Claims* here, (it is the same Case, whether you suppose the former *British* Bishops, or those imagined in the Time of King *Lucius*, it makes no difference.)

They were built on *Facts, Rights, and Propositions*, which were, jointly and separately, true or false, rational or otherwise, proved or

not, capable of Proof or not, according to the Order, Course, and Right of Nature and Reason, and the Principles of the *English Laws*, in Being: As to which, the following Pleas are submitted:

First, This Religion was avowed to be above Reason and Nature, *Supernatural*, therefore repugnant to that Maxim, that the *Law of Reason* is above all *positive Laws*, what was above Reason was not an Object of it, not cognizable, nor capable of Proof by Reason; therefore incapable of being received or established by Law, which is built on Reason.

Secondly, This Religion has been avowed to be contrary to Reason and Nature: It has been said, *Credo, quia est impossibile*; I believe, because it is impossible, which subverts all Certainty, and is Frenzy, Madness, on a Principle of Conscience: It professes also to be contrary to Nature, as in Self-denial, Leaving all, Self-punishment, forsaking Relations, giving all to feed the Poor, &c. It is not sufficient to say, that it is only against Corrupt Nature, if Nature never was corrupt, only actual Sinners were in certain Acts corrupt, which did not affect Nature in general, and if Original Sin be false Doctrine, even according to the Bible itself: Nor is it a Reply, that a Future State is a Recompence, for Evil is not to be done that Good may come of it; nothing can rectify what is in itself wrong: A future State was and might be known without Bishops, they have not proved their Authority to ensure it: Nor is the Future State, which is referred to in the Gospel, such a one, as they preach; nor do they

they and others agree about that, or any **Article** of their Christianity.

Thirdly, That the Bishop's Commission from *Peter, Christ, and God*, was never shewn, nor is it extant in the World: meer Tradition, Hear-say, pretended Inspiration, History, Custom, Presumption, Belief, are no Commissions or Proof of one: A Commission is an express unquestionable Delegation of the particular Powers therein mentioned, authentickly and undeniably given, on Record, and duly witnessed, from Persons by Name to Persons by Name, at precise Times and Places: No Bishop ever had such a Commission from *Christ* or *God*.

Fourthly, A Foreign Authority in Religion, whether alledg'd from *Egypt, Jerusalem, Rome, Gaul*, or whence you please, is repugnant to the Laws and Birth-right of *Britons*.

A Man is no more bound to admit it, than to *drink Tea*, instead of *Home-produce*; nor to go out of his Country for *his Religion*, than for *his Breakfast*: God is All-sufficient to all Men in all Countries, Right Reason is *his Word*, his whole sufficiently promulg'd or revealed Law to all honest considerate People, every where.

Fifthly, Nor was there a Possibility of such Commission from *Scripture* or *Oral Tradition*; — *Scriptures, Writings, Manuscripts* are the same, written by Men; alter'd, forg'd, interpolated, corrupted, diminished, augmented, translated, commented, preached or written upon, at Pleasure, by Party-views, or as *Governors* dictated: Some sunk, others trump up; never uniform.

The

The *Revelation* must lye in *all the Scriptures and Texts*, which cannot be come at; none can have all the Manuscripts, much less all *pro* and *con* : So that it is an *Impossibility*, therefore contrary to Reason, to find it :—And there are no *lawful Records* of it, no *qualified Witnesses* according to the Common Law.

Sixthly, *History* is no Proof that it is from God : There is not one true humane History, that can be proved such, in the World, much less a Divine History : Politicians never suffered *one* : It is uncertain also on other Grounds. So that was this *holy History* as true as any other, it would not be true, much less obligatory from God on the Conscience, since *Christ*, who came on Purpose for Revelation, never wrote nor promised Inspiration to any Writers at all ; and his, and the Apostles Discourses, were occasional, to those Persons, Times, and Places, not a perpetual Law to all Times and Places, of *God's Truth*, *God's whole Truth*, and nothing but *God's Truth*, without Doubt, for full Assurance of Faith, steadfast, unmovable, DEMONSTRATION OF THE SPIRIT AND POWER, to BRITONS, which was the only Proof of the *Bishop's Commission*, entitling to Law.

Seventhly, King *Ethelbert*, to whom it was preached, ordered, and it was agreed, it should be without Force, Compulsion, Coaction, or Prejudice : Thus writes *Bede* himself, a Priest ; but it was with Compulsion avowedly, for the Bishops then claimed a *Penal Coercive Power in Religion* : A Power of Authority to oblige Men to the Obedience of Faith, to profess Belief, to be of the Church, or *be damn'd*, be condemned, to what Punishment, what Rod they pleased.

Eighthly, They brought it in by *Prepossession*, *Imposition*, *implicite Faith*, *blind Custom*, *Ignorance*, not by free Rational Consent, to make it the voluntary unexceptionable Act of the Party in Law.

So that there was no proper Compact, Covenant, nor Agreement, as is presumed in the Civil Government, and as ought to be in all Society.

Infants, unknowing, unconsenting, (but by *Guarantees*, not authoris'd even in Scripture,) were to be *rivetted in*, get out as they could; the *Ignorant*, the *Credulous*, the *Superstitious*, in that dark Age, were *imposed on*: The Matter was not fairly and *legally deliberated* between the *King, People, and Bishops*.

A weak Woman Queen *Bertha* was first *practised on*, and ruled her Husband, and by him all: —No free, full, and fair *Consent, Compact, Law, or Constitution*.

Ninthly, It was brought as a DEED, a CHARTER, a CONVEYANCE, an INSTRUMENT OF LAW, a COVENANT, of the greatest Importance between GOD and BRITONS, transacted by COMMISSION FROM GOD: One material Flaw destroys a Law-Instrument: And in this suppos'd are numberless. Mr. *Emlyn* shewed a kind of Forgery in one Text, on —*These three are one*.—So in *History*, *Pliny's* Epistles have been always quoted for *Primitive Christianity*, and the tenth Book, containing that Proof, was *forged*; for it was not written by *Pliny*; as a great *Churchman* and *Antiquary* Mr. *Hearne*, evinces, in the *Oxford Edition* of *Pliny*.

And in Texts, innumerable Depravations, and in their Sense, Immoralities, Absurdities, and Inconsistencies,

consistencies may be detected, utterly subverting the Authority of a Commission, built upon it.

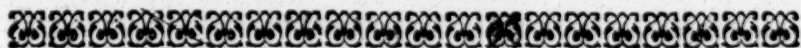
Tenthly, The Dates of Time of their Religion, and the History of the Miracles and Prophecies, as Matters of Fact, are not certainly clear and evident, that the Thing *must come from God, and none else*; which is absolutely necessary to the Divine Obligation of it: There were *Miracles, Prophecies, Arch-Flamins and Flamins, like Arch-bishops and Bishops, Revelations, Inspirations, Oracles, Churches*, all the Apparatus of their Religion among the *Heathens*, all their good *Doctrines*; *Britons* did not want *this imported Merchandise*.

Lastly, It brought in a Government *within*, and *contrary to*, the *Civil*; a Religion that has in great part, been declared *false* at the Reformation, and it cannot be shewn, that all is not on an equal Footing: One, that has not attained its End proposed by it: *Britons* were to have been more *moral, rational, and happy* by it, they have been more wicked, foolish, and miserable, in it: And as *they* could not *transfer* to *Man* that Faith, Conscience, and Duty, which they ow'd to *God only*, they could not lawfully receive it *from Man*, as binding them *from God*.

Much more might be added; but all this being contrary to *such Custom*, as is warranted by *Law*, contrary to the Course and Order of Nature and Reason, which cannot be changed, and are above all *positive instituted Law*, and therefore above all pretended to be such, in Religion.—All this declares, that on the Maxims of Law, Lord Coke,

Coke, Judge Littleton, Sir John Davis, Salkeld, &c. The *Customs* of the *Bishop's Religions, Claims,* and *Estates*, had not a REASONABLE COMMENCEMENT, are therefore *Nullities* and repugnant to the *State* and the *Constitution*.

And that the Religion of *Christ*, as a Teacher of *Right Reason*, is the *Legal Religion*, and the only *Lawful Construction*, in which *Revealed Religion* can be supposed to be admitted in *Britain*, and received in the Intention of King and People fully informed. One Statute declaratory of this, and explaining all the positive Laws about Religion to be thus intended, according to the Common Law, (in Aid of which only, Statutes and Canons are made) would effectuate the Point as easily, as it was introduced, and far more for the publick Good, which the aforesaid System essentially contradicts, because it contradicts the Principles of the Common Law.



C H A P. III.

FOR the Present, I shall dismiss *this great Point*, with some additional Observations on *Ecclesiastical Estates*, thus illegally founded.

Dr. *Ayliffe*, in his *Parergon*, has given us a Catalogue of the Religious Houses in *England*, dissolved by King *Henry VIII.* those discharged from Tythes in Virtue of their Orders, and the Mitred Abbots called to Parliament, and exempt from Episcopal Jurisdiction.

Colleges are a Sort of Monasteries, the Head and Fellows like the *Prior* or *Abbot* and his *Monks* : So are *Cathedrals*, Bishop and Preben-

E

daries

daries are like a *Mitred Abbot*, or *Father*, (*Abba*, *Father*, in *God*,) and the like.

The Cathedral was a *Convent* or *College* of *Bishops* and *Presbyters*, a *Monkery*: Even the *Essenes* and *Apostles* might be something like it, for a better *Livelihood* together.

Bishops may be ended as well as *Mitred Abbots*; *Cathedrals* are *Religious Houses*, and may be equally dissolved: All were as *Hospitals* are, each a *Maison de Dieu*, *Bethel*, a *House of God*, that is, dedicated to *God*, or *the Publick*, which has the same *Sense*: *Mitred Abbots* are not now in *Parliament*, *Bishops* are the like.

Many *Monks* were freed from *Tythes*; so may and ought the *Laity* to be: Many were exempt from *Episcopal Jurisdiction*, so ought all to be; the *King* is or should be exempt from it, as *Trustee* of the *People*, therefore the *People* originally are exempt, and there is no such *Jurisdiction*, but from the *People*, and the *Parliament*:

The *Estates* of those *Monasteries* in *Dr. Ay-liffe* amount to great *Sums*, comparing the *Value* of *Coin* then with the present; and the richest were those of *Glastenbury* and *Westminster*; the *Wealth* of *Glastenbury* owing chiefly to a *Lye* of the *Thorn* and *Joseph* of *Arimathea*, the *Counsellor* of *St. Sepulchre*.

As *Benefices* were valued for the *King*, and *Bishops*, they ought to be valued for the *People*: *First-Fruits* were given first to *God*, that is for the *Publick Good*; so were *Tenths*: The *People*, the *Original* of *Power*, ought to have *Tenths* from the *Bishops*, &c.

Queen Anne left her *Father*, and gave away the *Tenths* or *Tythe*; our *King* may leave the

Fathers

Fathers and give the Tythes to all his Sons, Laity as well as Clergy.

In *Eaton's Thesaurus*, we find the Names of *Saints*, to whom *Rectories*, &c. were dedicated; *all Christians* were called *Saints* in the New Testament, so that they might be so meant for their *Benefit* and *Wealth*.

The Dedication-Saints are mostly Fabulous, no Foundation for a Claim of Estates.

The Proportion of the *Recompence* to the *Duty* is often used as an Argument; neither God nor *Christ* ever made it a *Duty* for a Bishop of *L—* to govern that Diocese, or for any Dean, Arch-deacon, Prebendary, or Rector to pray in this or that Church; they are all willing to make the *Duty* as small, and the Gain as considerable as they can.

Who hath required *this Duty* at their Hands? or given them the *Recompence*? The Labourer is worthy of his Hire, but he is not to hire himself: They have obtruded themselves to the *Duty*, and ought to pay themselves for the *Recompence*.

The rich Clergy ought to maintain the poor Laity: Or, properly speaking, all the Laity ought to be Clergy by Turns, and to officiate for one another: Any Lay-man might read Forms of Sermons, as the Clergy read Forms of Prayer.

The Poorer Clergy ought to be pensioned on the richer; they ought to do good, *especially* to those, who are of the Household of Faith: which, I think, was a Doctors Text, before the *Sons of the Clergy*, (but who they are, is uncertain,) and by that Rule, that Doctor ought to maintain Mr. *Keith*, or the Truth is not in

him: For he that loveth not his Brother, whom he hath seen, (in low Circumstances, by his Prosecution, *Anglice*, Persecution of him,) how can he love God, whom he hath not seen? and whom no Canonical Barbarian ever will see.

There is a Method useful to the Publick, (which is more than any Hierarchy ever was, or can be, all Things compared,) observed by the King of *Prussia* to make his Civil and Military Officers Bishops, Deans, Prebendaries, and Parsons, by vesting their Revenues in them: And it was a noble Scheme proposed, it is said, by one of our Ministers, in *Germany*, to *secularise* the Ecclesiastical Dignitaries there, for why should not they, as well as Books, (which they seldom read,) be adapted to the Age? They love the World, and the World would not be out of Love with them, for the Sake of their Income and Power.

Mr. *Elton*, of pious Memory, is an Author of great Merit among them, for his devout Recommendation of their Interest in his Book, entitled, *Thesaurus Rerum Ecclesiasticarum*, a Treasury of Church Affairs: A very emphatical Title: *Treasury* means that these Religionists aim at the *Pence*; the Clergy-man's *Vade mecum* is a *Pocket-Companion*.

And he makes *this Gain* the System of *Church-Affairs*, of *their Business*, of *all they have to do*: To be *enriched in all Things*; to live by *saving Faith*; alter the Words, a *future State*, to a *future Estate*, and it means a *Translation*, a *new Plurality*, a *better Living*, or a *Living to one who has none*: In which Sense, they deny a *future State* to some, and for their own Part, would rather chuse a *present Estate* than a *future State*.

He

He tells us, that ‘ At the Reformation the
 ‘ Tythes, &c. might more easily than at pre-
 ‘ sent have been restored to those Uses, for which
 ‘ they were originally settled :’ Yet this would
 unhinge our Protestant Bishops and Clergy, for
 the Popish Revenues were designed for Popish
 Uses, and according to this Hint of Mr. *Eaton*,
 either Popery ought to accompany the Revenues,
 or they may as justly be taken away from the pre-
 sent as the Popish Bishops, if there be any dif-
 ference :

These Revenues are called *Spiritualities* : This
 proves that *Spirit* and *Matter* are the same : For
 Money is Matter : But if *Tythe-Pigs*, &c. were
 called *Carnalities*, it might be as proper, only
 fleshly Ordinances are forbidden in the New-
 Testament.

I would here furnish the Quakers with a new
 Argument against *Tythe-Pigs* ; *Swine’s-Flesh* was
unclean among the *Jewish Priests* and People, so
 that no Tythe of it could be paid : And the
Jewish Tythes were the Foundation of the
 Claim.

Mr. *Eaton* goes on, ‘ that the Tythes, &c.
 ‘ were first alienated from the secular Clergy, by
 ‘ Popish Usurpation, and then by Bulls and
 ‘ other Devices, were established for the Sup-
 ‘ port of *Romish Superstition*, and *Monastic*
 ‘ *Luxury*.

Hence it will follow that our Bishop’s present
 Revenues, are *Usurpations* from the Popish Do-
 nors and Possessors, and ought to be suppressed.

And that if the Distinction of the Clergy from
 the Laity, was an Usurpation, that ought to be
 suppressed too. *Paul* was a *Lay-man* : His hav-
 ing

ing different Powers no more made him a Clergyman, than a Judge's different Powers makes him one; a Clergyman's wearing a Gown and Band does not make him cease to be a Lay-man, any more than a *Barrister at Law's* wearing the same distinguishes him out of a Lay-Character: The Difference of Clergy and Laity has no Foundation in the Gospel: *Clerus*, Clergy, meant all God's People, as *Messiah*, anointed, meant any Man commissioned by Authority: *Cyrus*, a Heathen Prince, is called a *Messiah*: the Clergy's assuming to themselves a Difference from the Laity, was the Source of Popery, and all the Dominion of these Spiritual Gentry, and the innumerable Mischiefs arising from it: At first in this Country, the spiritual and temporal Magistrates sat on the same Bench, this was on the Presumption, that there was truly such a Thing as spiritual Magistracy, which was false: But it is well observed, by Mr. Serjeant *Foster*, against the *Codex*, that the Tearing away of the spiritual Power from the Temporal, was a Spring of publick Unhappiness and the Root of *Anti-Christ*.

As to *Romish Superstition*, what is left of that still among us, is as much *Romish Superstition*, as what is taken away; but indeed, *Superstition* is all that is beyond what is *necessary* in Religion, and every *Religion* is *Superstition*, except that of right Reason, and moral Virtue, because either that is all that is necessary to any Society, and therefore to any Government whatever, or the Consequence may operate in favour of Popery: For once admit the Necessity, or Expediency, of one Hierarchical Scheme of Religion to all Mankind

kind in general, or to this or that State in particular, and it is odds, but the Popish Scheme is the most Political of any in the World, and therefore preferable.

As to *Monastic Luxury*, our *Bishops and Clergy* are equally *Monks* to the *Laity*, as the *Monks*, so called, are to *them*. I have hinted that Bishops and Presbyters were the same as Abbots and *Monks*, and probably, improved, if they did not rise, from them: And in *Luxury*, ours are not behind-hand with the Popish.

Mr. *Edon* affirms, that ‘ the true and proper Use of those Revenues was, that they ought to have been apply’d to the Parochial Clergy: And that the Abuses of the Church-Revenues made a Reformation necessary.’

If so, those Impropropriations and Tythes which belong to Bishopricks and Dignities are wrong, and ought to be given to the Parish-Priests: And Reformation is now as necessary as then. Since all, except Morality, is Superstition: Morality, or Conformity to God’s Attributes being the whole of Divinity and Religion that is requisite, and the rest Superstition, and Popish Superstition, to be *reformed*.

He complains of ‘ poor Stipends, and Pitances allotted to some of the Clergy.’ But do the Bishops use their Court-Interest to redress this or other Hardships of the Clergy in Parliament.

He speaks of ‘ *Servile Compliances* of the poorer Clergy.’ Are the Richer and the Bishops guilty of no *Servile Compliances*?

He speaks, in the *Words of a Statute*, ‘ of mean Stipendiary Preachers depending for their necessary Maintenance on the Good-Will and Liking

‘ Liking of their Hearers, and under the Temptation of suiting their Doctrines and Teaching to the Humours rather than the Good of their Hearers?’

But do not the Bishops and Clergy, who preach or write or act for Preferment, do the same as these poor Men? Therefore, have we any Ground for the Believing their Doctrine? Were even the Apostles and first Preachers poor Stipendiary Preachers or no? And were not *they* under the same Temptation to suit their Doctrine to the Humours of their Hearers? Consequently have we any Security of the Truth of the Christian Religion itself, on this Principle?

Mr. *Eaton* says, ‘ The Doctrines and Labours of a Teacher, who makes a Figure, and seems not to be poor, will be more successful?’ But the Apostles seemed poor, and made no Figure, yet succeeded: nor do we read, they wrought Miracles every Time they preached, or very often: And if they did, *Christ* said, *Signs shall follow them that believe*; so that modern Bishops and Clergy may work Miracles, IF THEY BELIEVE; if they do not, it is because *they* are *Infidels*, and how can Infidels convert Infidels?

But I will tell these Teachers a shorter Way to succeed, and that is to be SAINTS; the People never were, are, nor will be moved by the Figure of Bishops and Clergy, so much as by their Sanctity; and Heroic Virtue would be sufficient for that Sanctity: No need of Revelation to be Saints. Let us see Bishops, &c. Men of supereminent Virtue, without so much of Wealth and Power, as many of the more glorious and divine *Heathen* Philosophers were, who contemned Opulence and Honours more than the Bishops
and

and Clergy do, and the Work will be accomplished.

But, on their Principles, there can be no such Thing as a *Saint*; for *that* we must recur to Philosophy; to *Plato, Epictetus, Pythagoras, Socrates, &c.* who pretended to no Church-Powers or Revenues, or to impose a Revelation and Creeds, as from God, on Men; nor set up an Interest and a Party to *deceive*, or what they call, *Convert*, and what Mr. Pope terms *Out-witting* the rest of Mankind: Nor can I be censured for this Honour done to Philosophy, for the Revelationists have borrowed almost all from them, if not all; *Plato, Aristotle, &c.* are in the *Christian* Writers and Preachers, from first to last, and Christianity is Paganism, under other Names: The Philosophers were honest Men than the pretended Saints, and Love of Wisdom, which is Philosophy, is Love of *Christ*, who was called, *Wisdom*.

Mr. *Edon* tells us, ' it will be 500 Years before all the Livings now under 50 *l. per Annum*, will be 60 *l. per Annum*.'

And in less than that Time the State may find it expedient to discharge reveal'd Religion, especially in the modern Scheme, from its Attendance.

The Bishops ought to be more on the Square with their Presbyters; they and the Dignitaries, and over-grown Rectors, &c. (as of *Winwick, Wigan*, and the like,) ought to augment the small Livings, and soon bring them all, at an Average, to at least 100 *l. per Annum*: The Bishops and Clergy at first lived in Common, and the primitive Scheme is the most apostolical and orthodox, as their own Canons express it: A

Bishop ought to be asham'd to possess Thousands, when his Fellow-Presbyters do not enjoy one Hundred: And even an Apostle called himself a Fellow-Presbyter, what sort of *Fellows* then are Bishops, to be so much different from *their Fellows*? This is not the Fellowship of the Holy Ghost, but of *Simon Magus*, and will be their Destruction.

The poor Livings are not discharged from Tenths payable to the Bishops, though they are eased of the First-Fruits payable to the Crown: How shocking is that Difference, that the Crown is more generous and charitable to the Clergy, than the Bishops are to their own Brethren? Is this Christianity? Is it high time to *discharge* a pretended Religion, that instead of answering the End for which it was said to be *revealed*, especially in Points of *Charity*, which is greater than *Faith itself*, inverts those Ends, and a Man would perhaps have been more humane, if he had not been a Bishop, and a Christian?

What a monstrous *Tytbe* is this, *Tenths* paid by the Clergy to the Bishops! They are said to be 'in Exchange for Manors and Lands alienated from their Bishopricks to the Crown;' that is, the Crown took away such Manors and Lands from Bishops, as they never had a just Right to, and the poor Clergy were to be tax'd for it: Yet afterwards the Crown releases this Burden, and the Bishops continue it, on their Part; *most Christian!* However, this is a Hint, which would justify the Crown in double-taxing the Bishops, since they tax the poor Clergy; and in alienating all their Revenues as it did their Lands and Manors: Mr. *Eaton* observes, 'those Lands have been
' mightily

‘ mightily improv’d:’ which is more than the Bishops themselves have been, or have done to Mankind; for they have been rather worse than better for them, and therefore they have no Right to those Improvements.

Fixed Sees are no part of the Gospel Establishment: The Preaching was not, as now, Local, but Itinerant, to tell those who were ignorant of it before, the *good News* of the *Messiah*; it could not be *News*. if constantly told them: *Evangelium* is glad Tidings, good News, and that only: So that the modern repeated Preaching the same Things over again is unchristian, and heterodox: And therefore in the Vacancy of Sees, a Christian Prince or State has a plain Right to take and keep the Temporalities on the Gospel Footing, which is the whole of true primitive Christianity according to Protestant Notions:

Mr. *Eaton* relates, that Bishop *Gibson*, in his *Codex*, p. 676 tells us, the Statute of 1 *Eliz.* 19. on the Crown’s taking Part of the Temporalities of the vacant Sees, was never printed in any Edition of the Statutes, but was inserted in his Book out of the Records of Parliament: The Bible, Fathers, and Councils, may have suffer’d the same Fate, and not be perfect, by Omission of something essential, or some other material Defect, inconsistent with the Demand of making Traditional Scriptures or Writings a Rule of Religion obligatory on the Conscience.

Mr. *Eaton* speaks farther of Institutions, Inductions, and other Knowledge necessary to a Clergyman.

So many Articles, that a Christian has been no Gainer by his Deliverance from the Law of *Moses*.

Though how a *Gentile* could be delivered from a Law that never oblig'd him — we leave to be explained by those who succeeded the Apostle of the *Gentiles*.



C H A P. IV.

SACRED Institutions themselves are not excepted from one general Observation ;

That—how wisely soever Things are contriv'd and fram'd in Government,

Yet, by the constant Flux and Motion they are in, *as* constant Care and Alterations are requisite to keep them right.

Hence has arisen that Variety of Canons and Constitutions in Religion, as well as Laws in the State : To adjust Property, reform Abuses, and settle Disputes :

Especially, between the **Clergy** and **Laity**, and among the **Clergy** themselves.

And without a *free Pen*, as well as a *free Tongue*, no Grievances can be well known nor stated : Therefore *free Pulpits*, within the Bounds of Property and Right, are every where necessary :

And if one should be confined and put down, let the People make another, in every House,
both

both publick and Private ; and every Man be a *Whitfield* and a *Westly*, in all Places to *speak* for his Country.

The Bishops and Clergy have been rigorous against their Tenants, *their Christianity* being so much a Year : And in *Daniel's seventy Weeks* came the *Messiah*, that is, in less than a Year, and a half, some cheat the Diocese all round.

Their Visitations and Godliness are not to reform the *Manners*, but get the *Lands and Manors* away : They take Surveys and Inquisitions every where, impose *Valuations* at Pleasure, as the Rule of Fines and renewing Leases : Have demolished Groves, Avenues, and Plantations raised by Gentlemen with long Care and Expence : Have endeavoured to lay aside the customary Tenure for their Lives, and convert the whole of those Estates into Leases for twenty-one Years : Consequently to extinguish and subvert our Freeholds, and reduce the Number of Freeholders in every County, to make themselves Masters of the whole Nation :

They pretend they are not compellable to renew with their Lessees at the Expiration of any Life or Term : May do what they please, and ask the Difference between their Estates and those of the Laity.

Under all their Revelation, their Eyes are so dazzled with the Pomp and Wealth of this World, which they renounced *hypocritically* in Baptism, to get the more ; and which is the End of *the counterfeit Poverty*, and *Self-denial* of their *queer* System, that they cannot find that Difference ; and who so blind as they who *will not see* ?

Yet

Yet Dr. Gray, in his antient and present State of *Durham*, told them the Difference,—that the Laity were their Patrons and Benefactors; therefore they ought to be moderate in renewing Leases, and encourage the Improvements of Tenants, to avoid the Evil of those *Civil Wars*, which proud Prelates and rigid Clergy had chiefly occasioned, by provoking the Laity.

The Laity *depriv'd* their Heirs and Families of their Estates for the Sake of the Church, and, as it is observed in *the Rights of Princes*, p. 117. beggar'd them too, by having their Consciences *bugbear'd*;

Though there are 20,000 of the Nobility and Gentry concern'd, and under such *Impositions*, may be induced to go to Extremities with them:

Rigorous Exactions upon Tenants would not be justified, supposing the Church Estates were the same with others, and they might make the best Use of them.

Though by *Fiction of Law*, Ecclesiastical Corporations are said to have a *Fee*, or *Free-hold*, in their Estates; yet, in Reality, they are only Tenants for Life; whereas *Lay-Fees* are unconditional, pure and absolute.

The others are compared in some Books, particularly, 2 *Inst.* 627. to Tenants in *Dower*, who are Tenants for Life, for they are the *Dos Ecclesiæ*, the *Dowry* or *Portion* of *Christ's Spouse*; but even in that, there is a Difference: For the Tenant in *Dower* holds in *her own Right*, but the Ecclesiastical Possessors is an *Usu-Fructuary*, not for himself alone, but for the *Use and Benefit* of others: they were *Stewards* for the *Poor*, &c. and as *Poor*, as *Alms-folks* themselves; *Lawn-Sleeves* are

are *Badges*, that they were maintained by the Parish.

Lay-Tenants come in by *Purchase*, or *Descent*, the other, by *Free-Gift*, the Laity were the *Donors*: It was a *Charity* from the Apostles Times, and properly subject to a Commission for Charitable Uses.

Tenants of *Lay-Fees* are not accountable for the Profits they make of their Estates, to any Persons: The Ecclesiastical are accountable, as, in *Dilapidations*.

At first, when a Bishop's Diocese reached no farther than one *Communion-Table* might serve, (which was *invented* for the *Offerings*) the Gifts of *Devout People* were all their Income: they endeavoured to make them *devout*, for those Gifts: And as the Bishop was as poor as the meanest, they were well maintained by them.

In the fourth Age, near the time, when *England* was converted, or, as Mr. Pope says, Outwitted, bubbled, *Offerings* were very great: *Constantine* made Laws permitting Churches to be endowed by Gift or Will, with real and immoveable Estates: The Rich *disinherited* their Families for them: Others, after Endowment, took back *Leases* for *Lives*, paying a yearly Revenue to the Church; but all, who *left Estates*, left them as a DEPOSIT, in TRUST, for Alms and Hospitality, and *decent Maintenance of the Clergy*; — *Lay Estates* are not in *Trust*, not a *Deposit*; the first Bishop's Church was a *charitable Corporation*, and something like ours at this Day.

But the Ecclesiastical Writings and others, in every Age, affirm that the Clergy ought not to possess or appropriate the Revenues of the Church, as their own; but as the Patrimony of the Poor;
the

the Nation is poor, ought to take them back again and may send the Possessors to the Army: If they be rich, and live on the Revenues, they rob the Poor; and to defraud the Poor is the most wicked Theft in the World, Gamblers are Saints to them.

Gratian, Dist. 33. c. 3. speaks in this Manner: And even the Council of Trent, Sess. 25. de Re-form. c. 1. (whose Canons are better than the Codex,) says the same. And Dr. Straban understands this of all Church Ministers, who are only the Depositaries of their Revenues.

The Foundation of the Church is laid on the Scheme of Universal Beneficence, in which is comprehended the whole Cause of Virtue, and what is Beneficial to Mankind: So that if Benefices be Male-ficial, Maleficent, hurtful, they ought to be given to Rationalists, who will make them otherwise.

For, in England, the National Revenues have been vested in Trust, in the National Church, for the same Design; and in the Laws and Constitution of England, there are Grounds to secure them, For the BENEFIT OF THE PUBLIC for ever; between which Laws, and those, which concern Lay-fees, a wider Difference cannot be.

By the Statute of 25 Edw. c. 3. It is declared, that the Church of England is founded in Prelacy by the Kings of England, the Earls, Barons, and other Nobles of the Realm, to inform THEM, and the People of the LAW of GOD, and to make Hospitality, Alms, and other Works of CHARITY.

And that Possessions of great Value were assigned to the Prelates and other People of the holy

holy Church, to sustain the Charge by the Kings and Nobles.

And the Common Law made no other Provision for the Poor, who were Provided for out of *this general and national Fund*, till the Statute of the 5th of Queen *Elizabeth*.

Indeed some Bishops have been so charitable, as, for their own Sakes, to encrease this Fund, and what they received from the Church, have returned to it, to carry on the Jobb: Only for the Sons of the Clergy the Lay-men are also invited at the Lay-men's Cost, With Fiddles, and a new Rehearsal.

Dr. *Morley*, late Bishop of *Winchester*, gave 50,000 Pounds to Works of Charity, *Ech. H. Engl. 45.* the late Bishop of *London*, Dr. *Robinson*, gave to the poor Livings; the present Bishop, nothing, that I know.

John Wickliffe affirmed that the King and temporal Lords or Free-holders, might, lawfully, and meritoriously, take away the Temporals and the Goods of Fortune from Ecclesiastical Men, if they habitually abused them: 2 *Conc. J. Wickliffe Pryn. 4. Instit. 244.*

The Primitive Constitution of the Church and the Intent of the Laws is the same, which accounts *Alms* to be a *Divine Service*, and what is done to the Poor, for *God's Sake*, to be done to *God himself*, which is the true Meaning of the Words, *Deo & Ecclesie*, to God and the Church, often mentioned in ancient *Grants and Chartularies*, i. e. That they of the Church or Community to which such Grants are made, shall hold the Land in Succession, to be employ'd in *pure and perpetual Alms and Hospitality*, or in *Frank-almoign*, as the Lawyers speak, *Co. Lit. 96*

V. 2. Inst. 2. Quod datum est Ecclesiæ, datum est Deo.

To secure *this Trust*, the Common Law did not commit it to any single Person, or sole Corporation; but vested the Lands of *the See* in the Bishop, Dean, and Chapter, those of Arch-deaconries and Prebendaries, in their respective Offices, the Bishop, Dean, and Chapter: Those of the Parsons and Vicars in their Patrons and Ordinaries: All these were to concur, to bind the Successor, and to hold an even and equitable Mean between the Possessor, and him, who should succeed: Therefore prescribed a Rule to let their Estates, by customary Tenures now in Use, for their Lives, or twenty-one Years, and not, even by Consent, to go farther.

But when the Statute of 32. *Hen. 8.* vested the Power in one, and enabled the single Bodies above-named, (except Parsons and Vicars,) sole, and without others, to make Leases, though the Spirit and Intention of the Act gave no more than the ordinary Power to Lease for three Lives, or one and twenty Years, as it was at the Common Law, yet it was found to be too much to entrust any single Person, as the Act then stood: Devices were found out, now the Power was vested in one, to evade and destroy that Tenure: Which shews that Power in one, *Bishop or whosoever*, may be apt to be stretched: So that long and unreasonable Leases for Years sprung up for the Lucre of large Fines, unknown to the Common Law, to the Loss of the Successors.

But they were soon condemned by the disabling Acts of the 1st and 13th of Queen *Elizabeth*, and brought to the old Practice of three
Lives,

Lives, or twenty-one Years : Therefore, there is nothing new in checking the exorbitant Avarice of Bishops and over-grown Clergy.

All their Revenues were *Donations*, and the Dilapidators or Spoilers of them were to forfeit their Office : Therefore the Church is said to be *infra Ætatem*, in the State of *Infants*, for of such is the Kingdom of Heaven ; as consisting of *Donatives* ; always *Babies*, and wanting the tenderest Care : So that the *Common Law*, the *State*, is the FATHER IN GOD of the Church : Its Guardian : Bishops, &c. are *Minors*, in their *Non-age*, in *Leading-strings* and *Gocarts*, but naughty Bantlings, and may want the Rod : As if the Guardian of an Infant commits *waste*, he forfeits his Office ; because it is contrary to his Trust. 2 *Inst.* 330, and 12 *Jac.* 1. Godbolt. 259.

What *Waste* and *Dilapidation* of *Souls*, the Living Stones and Temples of the Holy Ghost, are committed by Bishops !

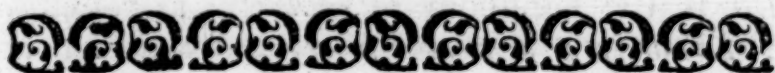
The Legislator is *Guardian*, and *Over-seeer*—their *Bishop*—but, we hope, not such as they are.

In the 2d of *Hen.* 2. a Bill was brought in, the Effect of which was, That Lands devoutly given, and disordinately spent or misapplied by Religious and Spiritual Persons, should be seized into the King's Hands : That the same would suffice to maintain, for the Honour of the King, and Defence of the Realm, 15 Earls, 1500 Knights, 6200 'Squires, and 100 Alms-Houses, for Relief of the Poor : And the King would have 20,000 Pounds besides.

The Dexterity of some Bishop's-Men prevented the passing of that Bill : It shews, the

Laity, who founded the Church, will not sit still, and see its Estates misapplied, or the Tenants tormented with heavy Fines and Exactions.

This in Part shews the Difference of Ecclesiastical and Lay Property.



C H A P. V.

THE *Revolution* itself supplies us with various Topicks, that enervate the Title of these Estates.

A Complaint of *Breach of Trust*, in the King, by the Advice of wicked and corrupt Ministers, was the original Cause of the Revolution; *that* was thought to have in it the Essence of an *Abdication*; to break the Trust reposed in him by his supposed Compact with the People, was deemed to be a *virtual Dereliction* of his Office, which was held on the Condition of his adhering to that Compact; and also to be a *Forfeiture of his Crown*; since it *reverted* to those who gave it on that Condition, and his Title was extinguished by his Mismanagement.

That is, the King was subject to the General Laws and Sanctions of the Constitution, and, since *the King* could do no Wrong, when he did wrong, he ceased to be King.

So if a Bishop does wrong he ceases to be a Bishop; it is a Term of Office: If he breaks the *Trust*, he *abdicates* his *See*, all the Spiritualities and Temporalities belonging to it: Renounces

nounces his Office, abdicates his Authority, and forfeits *his Regalia* and *Estate*, which are only annex'd to the rightful Possession and Exercise of his Function.

It is the same with any other Church-Officer; the Character is not indelible, but *Conditional*, and *Fiduciary*, On *Trust*, it is a *Fidei-Commissum*; a *Deposit*: As *Paul* said, O *Timothy*, keep that which is committed to thy *Trust*; what that was, we are not *directly* informed, but are to *infer*.

It would be a monstrous Supposition, that a King should lose his Crown, by a Breach of Trust, and a Prelate not lose his Estate, by the like Transgression:

With this essential Difference still, that the Office of a King is vested in him, by the reasonable Compact and Consent of the People, a Prelate's is not: It is something a-kin to nothing, in *Nubibus*, to which, at first, no Rational Consent was, or possibly could be, given.

So that, strictly, he forfeits, what he had not, except *de facto*, in the meer Possession only.

The Breach of Trust, on this Head, consists in several Articles, and to be particular, in this, that their Estates were a *Trust* for *Alms*, and *Charity*, and are not so disposed of.

All their Local Powers and Rights in this Country, were a *Trust* from the Prince, who, imprudently and without the deliberate Option of his People admitted them here, on the express Condition, that they should make use of no coercive Power, no Compulsion, in their Religious Administrations, which they have done, which they have and do claim to themselves, as
in

their Jurisdiction, their Church-Government, Authority, their Spiritual Courts, Inhibitions, Excommunications, and the whole Frame of their Discipline : This is a direct notorious Breach of Trust, and incurs the Forfeiture of Estates and Emoluments.

They pretend also a *Trust* from *Christ* : That was, if any, of *Souls only*, not of *Temporals* ; and it was suspended on one Condition, among many others, that they should not teach for Doctrines the Commandments of Men, that they should not make void the Commandments of God, by their Traditions, that they should not exercise Authority, like the Kings of the *Gentiles*, much less, over Kings ; that their Government, as subordinate to his Kingdom, should not be of this World, that they should follow his Laws and Example, that they should not lay any other Foundation, but his, not betray his sole Legislative Power, by assuming a distinct one, and one that opposes his, to themselves ; that they should stand fast in his Liberty, and not be entangled again in the Yoke of Bondage, either of *Judaism* or of *Paganism*, many of whose Ordinances, Rites and Ceremonies, they have received.

This Trust, from their Lord, or his Church, his faithful People, they have manifestly violated, and incurred the Forfeiture.

They have also broken the Trust which was lodged in them by the People, by *Englishmen* and *Britons*.

Which Trust from *them*, as Men, was, a rational and moral Guidance of their Minds and Actions, to a Conformity and Acceptance with God ; not as blind Guides of the Blind, as ignorant Teachers of the Ignorant, by leading them
captive

captive to what is above Reason, therefore cannot be proved Reasonable, and what is often contrary to it: What determines their Minds and Wills by the irresistible Force of an extraneous Agent, makes them, not Men, but Machines, and ruins Vice and Virtue, by making their Actions and Souls not to be their own.

They have likewise broke their Trust in the Relation of *Englishmen* and *Britons*, by setting up a foreign Jurisdiction, and introducing here a foreign Authority: not of the Growth of this Land, or of its Laws, but Exotic, against the Spirit of Oath, which opposes the Acknowledgment of any foreign Power, Authority, or Jurisdiction: and against the Genius of our Laws, which is Jealous of the Encroachment of Strangers and Foreigners to the Commonwealth of *our Israel*.

Regeneration is a Term of the *Jewish Talmudical Law*, it meant, being *Naturalized* to the Rights of *Jews*, or a Kind of *New-Birth* from the State of the *Gentiles*, or of Nature and *Natural Religion*: So that it was rather being *unnaturalized*; and it is directly avowing that Scheme to be *foreign*, out of our Nation, into which it admits *Britons*. We were thought and called *Foreigners* to *that*, which therefore was *foreign* to us; *Baptism* was the Ceremony of that *Naturalization*;—as *Bathing* was the Ceremony of making Knights of the Bath; and as a Tap on the Shoulder with the Sword is a Ceremony of making other Knights to *fight under the Banner* of the Maker.

In such Points, they have broke the Trust, and incurred the Forfeiture.

They

They are bound to prove the Birth of *Christ* as nicely as it has been required to prove the Birth of the Pretender: They have taken upon themselves the *Onus Probandi* of this, and of all their Assertions; they cannot throw this upon the State, for they pretend to be original Governors of the Church, and Teachers of those Lay-People that compose the State; they have suggested, directed, preached, prompted, advised, the whole System: It lies at their Door.

And farther, whether they have claimed to be dependent or independent of the State, they have incurred a Dilemma;

If Independent, by that they avow, that they have nothing to do with the State, or the State with them, as to *Estates* or *Secular Powers*: therefore have no Pretensions on the Civil Magistrate, nor can, of Right, complain, if he takes away their Secular Profits; they are *independent*;

If Dependent, they are subject to the like Qualifications of Office and Authority with others, and incur the like Deprivations and Disabilities.

King *William*, our Deliverer, was a *Dutchman*: In *Holland*, the *Calvinist Church* there is paid by the State; what Exception can our Prelates, who are properly *Calvinists*, according to the thirty-nine Articles, alledge against the like Oeconomy here?

Calvin was much concerned in Modelling the Church of *England*, and now the Whig-Bishops, as such, by their Principles of *Moderation*, in the Character of *Low-church-men*, cannot decently object to the Institution of a *Calvinian*

vinian Church, which to them is the most considerable, the most important of our Allies, the Church of our political Saviour and to us a kind of *Civil Messiah*.

At the Retormation, the Bishops and Clergy *abdicated, renounced, Popery*, their Estates are chiefly of Popish Foundation, and entirely of that Model; and therefore, are, in effect, already abdicated by them: Especially as they were settled for Popish Uses, and for *those only*, with Imprecations and Anathemas to the Contrary: They are not fond of being obnoxious to Curses and Anathemas, but naturally desirous of putting away the accursed Thing far from the midst of them.

They cannot object, that the Church would be in danger, for the Church is the Pillar and Ground of Truth, which never can be in Danger; and, as to the Security of the Church's being *perpetual*, in the Words, *for ever*, and *always*, and the like, inserted in the Statutes, that cannot be depended upon, for the Church of Rome was rather more *ensured* by *Magna Charta*, and other Laws, yet has been *abdicated*: And the Law of *Moses* was promised to be *eternal*, yet is changed by the Gospel, (though retained by Christians,) *Perpetually* is *conditionally* so, *ex Hypothesi*, i. e. if it shall be politically convenient, which is one Reason that Bishops pursue the Court, intriguing with all that even remotely belong to it, to keep off an Enquiry.

There is another Breach of Trust, chargeable upon them, that they break their own Canons and Laws: As, in one Case, in not reading twice a year *Magna Charta*, in their Cathedrals, (and many other Instances,) as the Statute requires.

And they add Laws of their own, in distributing written or printed Articles and Rules for Visitations, Confirmations, &c. contrary to the Statutes, by which they may be in a *Præmunire*.

In *France*, the Revenues of the Clergy are considered among the *Finances*, which adds to and corroborates the Argument drawn from the Practice of King *William's* Church, and amounts to a Catholick, or Universal Consent, that the Treasurer, who is the People's Officer in the Super-intendance of their Cash and Substance, is the Supreme Bishop under the King, has a Right and incumbent Obligation to dispose of their Revenues.

It cannot be pleaded, that this would cut them to the Quick, and reduce Lawn-Sleeves, and Pudding-sleeves to a State of *Querpo*, or *political Circumcision*, for a Bishop allows the Clergy as little as He can, in all Respects, and the superiour Clergy do the like to the Inferior, especially the poor Curates, Readers, and Subalterns, who deserve the most, by their Labour and Attendance; therefore, this is a direct and formal Improvement of the *Querpo Scheme*, which is *their own Creature*: They tear all from the Backs of the Laity and Lower Clergy, and, if in return, they bring all upon their own Backs, it is—*Arte perire suâ* —With what Measure you mete, it shall be measured to you again.

Archbishop *Tillotson* preached some very good Sermons on *Restitution*, as an indispensable Article of *true Repentance*, that we ought to restore what has been obtained from others; in a less direct Manner that Doctrine is now preached by that Eloquent and Reasoning Primate to the Archbishops, Bishops, and Over-grown Clergy, of the present Times: It is not a *Restitution*, or *Restoration*, in a Civil View (which might in his Opinion prevent this,) but a *Spiritual*, that is enforced by that Great Metropolitan, which agrees to the present purpose.

This Revolution of abdicating Bishops, &c. might be effected with greater Facility, than the *Abdication* of King *James*: One considerable
Deserter

Deserter, on Principle, might bring it to bear the *British* World is prepared for it, the *British* Necessities require it; a rough Shake has been given to the Prelates, and, as Mr. *Bayle* remark'd on *Luther's* Life, one Shake more would demolish them: The Cry is up, the Eyes of all are open.

This Point ought to be pursued, by Induction, of all the Archbishopricks, Bishopricks, and spiritual Promotions. We have unhorsed Kings, Popes, &c. have numerous Precedents, and leaving Bishops to their own Fate would be a Merit beyond that of quitting a King or a Minister of State.

In Sum, those Estates were given to, that is, some way, under some Pretense, obtained for God and the Church: The Church of *England* is the Company of the Faithful, dispersed or distressed over the Land: Charity is the Great Duty, beyond Faith; the first Charity is to the Household of Faith, the true Owners of those Estates and Powers; the next to the Church, the Nation, the People; the Faithful are the Rational and Moral, the true Patriots: The Church is Poor, it owes more than it can pay, besides Taxes of all Sorts: It is almost broke, but does not yet run away, because we stand by one another; each says, in drinking, I'll pledge you; I'll be your Bail, your Guarantee: We are Security for one another, against Bond, Judgment, and Execution: Our Goods go of themselves to the Brokers every Year; so that these Estates for God and the Poor, are next for the Nation; the Lord (the Poor who represent him) has need of them: He has not now need of an *Ass*, a *Bishop*, but of *Supplies*, and Bishops are only *Stewards* or *Guardians* for the Church, which is now of Age to account with them.

O Author of the *Codex*, hast thou appeal'd to the Canon Law, and to Popery? To them
thou

thou shalt go : One is a *Forgery*, and tho' supposed true, against thee : Popery was never really Law in this Country, but treasonable ; and we will avail ourselves of thy Concession, that the Common and Canon Laws are contrary to each other.

O Author of *the Tryal of the Witnesses*, hast thou appealed to the Evidence of the Common Law ? We demand that Evidence for every Article of thy Religion.

We demand, that ye produce and prove a *valuable Consideration* for your *Estates* ; if none, they are void in Law : God's Acceptance may be obtained without your Religion : And if it should happen to be a Sin to believe you, and act by your Precepts, a Man may be damned for it.

Luther appeal'd from Popery, Infallibility, Error, Church-Authority, Canon-Law, from the Inspiration and Revelation of the Church, to Right Reason, and Divine, that is, moral Duty, as far as he could adjust it : He was a Reformer, there is no other ultimate Standard of Reforming.

Lex non cogit ad impossibilia, the Law does not compel to Impossibilities : Bishops compel to them, by insisting on a Belief of, an Assent to a Text, an Inspiration, a Tradition, which it is impossible to prove by Common-Law Evidence : and which if admitted, must destroy Free-Agency, and with that, all Morality and Religion, in Course : Leaving the Civil State, either with the Religion of Right Reason, which is a Conformity to the Divine Attributes, the Perfection of Religion, or without any Religion at all, and introducing National Atheism, with all its Consequences ; of which the Spiritual Imposers or Impostors will be the Criminals.

According to *Christ's* own Doctrine (which is all that Christians strictly have to do with, for the *Apostles* were not *Legislators*, much less others from them) he was, *if the Father pleased*,

to come in *that Age* : *That Generation* was not to pass till all was fulfilled ; he was to come soon, quickly, in a little while : They are his own Words : Lo, I am with you always to the *End of the Age*, *αιωρος*, not the *End of the World*, as it is knavishly interpreted to make the *Hierarchy* and its *Estates* perpetual ; therefore after *that Generation*, they could have no Authority, much less a *Title to Estates* and *Powers* 1800 Years after, or to the *World's End*, which may be as long before it happens, as some say, it was, before it commenced : If they begin to call any to account for these Enquiries, they may find as many Persons disposed by Degrees to call *them* to Account, from *first to last* ; it is a pretty long Reckoning : *Luther's* first Stroke met with Patrons, by Degrees. Truth alone is the Church that is built on the Rock of Ages, against which the Gates of *Hades*, that is, the Incidents of Mortality, shall not prevail : Right Reason is the only Guide to Truth ; therefore they are the Church, they are the infallible everlasting Gospel, they are Christianity, and Revelation : Even *Penn*, the Quaker, has shewn this : These at the Bottom are the Quaker's Principles, as they are of every wise and honest Man ; this was, really, the Patriarchal Religion, to be restored on the Abolition of *Paganism* and *Judaism* ; the Hierarchy is *Pagan* and *Judaical*, and to give Way to the Evangelical Church of Reason and Virtue, the Image of God, and the Proper Heaven of an intelligent Being : These will *cost little*, but they are Pearls of great Price in themselves ; worth more than two ecclesiastical Millions, and ought to SAVE the Money, which is a TRUE SALVATION.

For *Salvation* meant Deliverance from such Evils as God threatned to the *Jews*, for their Sins
against

against the Law which were Temporal, implying a *Temporal Messiah*. *Wrath to come* meant those Evils to come in this Life. The *World to come* the World under the *Messiah*, to come in this Life. *Heaven* meant either the Air, or any Place where God favourably is, or promised to be. The *Kingdom of Heaven* meant the Time and Place of the Kingdom or Reign of the *Messiah* in this Life; supposed to be promised by God. *Eternal Life* meant the State of *continual Living* free from the temporal Punishment of Sin in this Life, threatned by God to the *Jews* in the Law of *Moses*. *Damned* meant *condemn'd* by the Law to those Punishments. *Judgment* meant God's inflicting such Punishments here, and calling Men to Account. *Day of Judgment* meant the Time when that was to be: *Christ* said, as suppos'd, the Father only knew it; that is, *God knows when*, which any might reveal. *Resurrection* was *Pharisaism* from *Pagan Philosophy*, preached by *Paul*, from the *Pharisees*. *Hell* meant any dark Place, Prison, Dungeon, Grave, or the Valley of *Hinnom*, where Bodies were burnt, or the Place where melted Lead was poured down the Throat of a temporal Malefactor, call'd *Combustio Animæ*, or the burning of his Soul, or Life away, called by *Christ*, killing the Soul: This is Scripture. Lord *Herbert* and others have prov'd, that God, Repentance, and a future State, were known by Reason. They are suppos'd in the Bible, not *revealed* there: And Immortality *ἀσθασία* meant, that the Bodies of those, who were alive at the Coming of the *Messiah* in this World, should be preserved free from Dissolution by Fire, or the same as *Eternal Life*, or never punished by Fire here, &c. The Preachers who teach otherwise *forfeit their Estates* as incapacitated by Ignorance, or Seduction. 4 OC 58

F I N I S.

